

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**IN RE: WRIGHT MEDICAL  
TECHNOLOGY, INC., CONSERVE  
HIP IMPLANT PRODUCTS  
LIABILITY LITIGATION,**

**This Document Relates To:  
ALL CASES**

**1:12-MD-2329-WSD**

**OPINION AND ORDER**

On October 5, 2017, the Court conducted a status conference at which the parties discussed the global resolution of this MDL. ([2015]). On October 10, 2017, the Court issued its order summarizing the conference and directing the parties to file a motion requesting the Court to close the MDL to new claims. ([2017]). The parties filed their motion, and on October 18, 2017, the Court issued an order granting it, finding the purposes of the MDL fulfilled, vacating the Court's Case Management Order No. 1, to the extent it permitted direct filing of new cases, through short-form complaint or otherwise, and ordering that no new cases be direct-filed in the MDL. ([2022]).

The same day, the Court sent a suggestion to the United States Judicial Panel on Multidistrict Litigation (the “JPML”) that: (a) included copies of the Court’s October 10 and 18, 2017 orders, (b) informed the JPML that the MDL was in a final wind-up phase as a result of a global resolution addressing all cases in the MDL, and (c) requested the JPML cease transferring new actions to the MDL as tag-alongs. ([2022]; see also MDL [235]). On October 19, 2017, the JPML accepted the Court’s suggestion and issued a minute order suspending the requirement that the Clerk of the JPML be notified of potential tag-along actions. (MDL [236]).

Since October 2017, the Court and parties have worked diligently to identify the individual cases in the MDL that are not included in the Master Settlement Agreement (MSA) and thus should not remain in the MDL and those cases that are included in the MSA but should be administratively closed. The parties identified the cases listed on Exhibit A, attached to this Order, as the cases that were directly filed in this MDL that are not part of the MSA, and which should be transferred to the United States District Courts from which they were transferred to be included in the MDL. The parties identified the cases listed on Exhibit B, attached to this Order, as cases subject to the MSA and which should remain under this Court’s jurisdiction until the parties file a stipulation of dismissal dismissing them (the

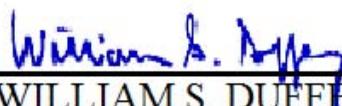
“Exhibit B Cases”). The Exhibit B Cases are resolved, are not active cases, and can be administratively closed.

Accordingly,

**IT IS HEREBY ORDERED** that the cases identified on Exhibit A, attached to this Order, be transferred out of this MDL and remanded to the United States District Courts in which they were originally filed and from which they were transferred to the Court. The Clerk of Court is **DIRECTED** to transfer the cases listed in Exhibit A to their respective District Courts.

**IT IS FURTHER ORDERED** that the Clerk of Court is **DIRECTED** to administratively close all cases listed in Exhibit B.

**SO ORDERED** this 22nd day of June, 2018.

  
WILLIAM S. DUFFEY, JR.  
UNITED STATES DISTRICT JUDGE

# EXHIBIT A

|     | <b>CLAIMANT<br/>NAME</b>            | <b>COURT FOR REMAND</b>   | <b>CIVIL<br/>ACTION NO.</b> |
|-----|-------------------------------------|---|-----------------------------|
| 1.  | ABTS, Dennis                        | United States District Court for the Western District of Wisconsin  | 1:13-cv-0083                |
| 2.  | ALEXANDER, Willie                   | United States District Court for the Central District of California | 1:13-cv-01967               |
| 3.  | CROSS, Steven                       | United States District Court for the Central District of Illinois   | 1:14-cv-02483               |
| 4.  | DICKSON, J'Renee                    | United States District Court for the Middle District of Florida     | 1:17-cv-03842               |
| 5.  | GRIFFIN, Mark                       | United States District Court for the District of Maryland           | 1:17-cv-03989               |
| 6.  | JARAMILLO, David                    | United States District Court for the District of New Mexico         | 1:17-cv-04112               |
| 7.  | LARON, Anthony                      | United States District Court for the District of Nevada             | 1:16-cv-04771               |
| 8.  | LEONARD, Barbara                    | United States District Court for the Central District of California | 1:17-cv-03918               |
| 9.  | MALTIN, Alan D. and Connie J.       | United States District Court for the Southern District of Florida   | 1:16-cv-00917               |
| 10. | MANCILL, Deborah                    | United States District Court for the Eastern District of Texas      | 1:17-cv-03705               |
| 11. | SCHAUFELE, Michael C. and Martha B. | United States District Court for the Eastern District of Arkansas   | 1:16-cv-01575               |
| 12. | SPEED, Charles                      | United States District Court for the Western District of Texas      | 1:12-cv-03125               |

# EXHIBIT B

| Count | Claimant Name                               | Case Number       |
|-------|---|-------------------|
| 1     | ALBRIGHT, ELAINE AND DAVID                  | 1:13-cv-02609-WSD |
| 2     | ALLEN, DANNY RAY                            | 1:12-cv-01945-WSD |
| 3     | ALLEN, MICHAEL & CATHERINE                  | 1:14-cv-04050-WSD |
| 4     | AMES, JACQUELINE                            | 1:12-cv-00626-WSD |
| 5     | ANDERSON, DOUGLAS AND JANET                 | 1:17-cv-01858-WSD |
| 6     | ANDERSON, RAY                               | 1:12-cv-03049-WSD |
| 7     | ARVOY, JUDITH M.                            | 1:14-cv-00267-WSD |
| 8     | BADER, RUTH M.                              | 1:13-cv-00294-WSD |
| 9     | BAKER, WAYNE AND LAUREL                     | 1:14-cv-01063-WSD |
| 10    | BARNARD, COREY S.                           | 1:13-cv-02554-WSD |
| 11    | BARONE, GIOVANNI AND CARMELA                | 1:15-cv-00846-WSD |
| 12    | BARTH, DOROTHY                              | 1:17-cv-04113-WSD |
| 13    | BENSON, ALLISON                             | 1:17-cv-02994-WSD |
| 14    | BIRMINGHAM, THOMAS E AND ELIZABETH          | 1:16-cv-02825-WSD |
| 15    | BOGERT, BONNIE SUE AND RICHARD E            | 1:16-cv-02849-WSD |
| 16    | BONKOSKY, DONALD                            | 1:13-cv-01393-WSD |
| 17    | BOURDEAUX, RICHARD/STEPHANIE                | 1:13-cv-04264-WSD |
| 18    | BRAASCH, FRED                               | 1:12-cv-02231-WSD |
| 19    | BRANNAN, CONSTANCE                          | 1:16-cv-04431-WSD |
| 20    | BREEZE, LARRY A.                            | 1:14-cv-00442-WSD |
| 21    | BRENNEMAN, PHYLLIS                          | 1:15-cv-04517-WSD |
| 22    | BRIGGS, HOPE                                | 1:14-cv-04053-WSD |
| 23    | BROOKS, NICOLE                              | 1:13-cv-01105-WSD |
| 24    | BROWN, STEVEN                               | 1:14-cv-03870-WSD |
| 25    | BRUNORI, THERESA                            | 1:14-cv-02242-WSD |
| 26    | BURGER, JOHN E                              | 1:12-cv-02306-WSD |
| 27    | BURNETT, CECIL & JANET                      | 1:14-cv-03360-WSD |
| 28    | BUTTERWORTH, MARGRETH                       | 1:16-cv-01011-WSD |
| 29    | CARL, NICHOLAS                              | 1:13-cv-03886-WSD |
| 30    | CARTER, FRANCES                             | 1:17-cv-02770-WSD |
| 31    | CHERVENY, EDWARD J.                         | 1:13-cv-02558-WSD |
| 32    | CHRISTY, JOHN                               | 1:13-cv-01370-WSD |
| 33    | CIENFUEGOS, JOE A. JR. AND CIEN, TINA MARIE | 1:15-cv-00927-WSD |
| 34    | COHEN, ELEDA                                | 1:12-cv-01140-WSD |
| 35    | CONSTANTINO, MARY                           | 1:16-cv-02326-WSD |
| 36    | COOK, WILLIAM EARL JR & LESLEE              | 1:14-cv-04068-WSD |
| 37    | DAIGLE, JOEY AND THERESA                    | 1:13-cv-03732-WSD |
| 38    | DANLEY, RICHARD                             | 1:12-cv-03109-WSD |

| Count | Claimant Name                  | Case Number                          |
|-------|--------------------------------|--------------------------------------|
| 39    | DASKIVICH, JOANN AND MICHAEL   | 1:14-cv-00603-WSD                    |
| 40    | DEES, JACE                     | 1:11-cv-04415-WSD                    |
| 41    | DEJESUS, CRESENCIO             | 1:13-cv-00251-WSD                    |
| 42    | DELAIR, MILTON                 | 1:16-cv-04146-WSD                    |
| 43    | DESTOUET, MARY                 | 1:17-cv-03401-WSD                    |
| 44    | DEVILLE, DIANE                 | 1:12-cv-02995-WSD                    |
| 45    | DICKERSON, ANNE                | 1:12-cv-01553-WSD                    |
| 46    | DISSINGER, RAY Z.              | 1:14-cv-03636-WSD                    |
| 47    | DODD, LARRY R.                 | 1:13-cv-04077-WSD                    |
| 48    | DOUGHERTY, LAWRENCE & KATHLEEN | 1:14-cv-00833-WSD                    |
| 49    | DOW, LEILANI                   | 1:14-cv-03274-WSD                    |
| 50    | DUECY, JANET                   | 1:15-cv-03052-WSD                    |
| 51    | DUNN, NANCY                    | 1:16-cv-04190-WSD                    |
| 52    | DUVALL, WILLIAM & ROSEMARY     | 1:13-cv-02389-WSD                    |
| 53    | FILLMORE, BEN AND ANN          | 1:14-cv-01490-WSD                    |
| 54    | FISHEL, LINDA                  | 1:12-cv-03081-WSD                    |
| 55    | FOLIART, SHIRLEY               | 1:15-cv-03534-WSD; 1:15-cv-02930-WSD |
| 56    | FREY, NICOLE                   | 1:12-cv-03211-WSD                    |
| 57    | GANDY, PATRICK AND CYNTHIA     | 1:13-cv-03763-WSD                    |
| 58    | GARBES, SHELLEY                | 1:16-cv-03707-WSD                    |
| 59    | GIASSON, GUY P.                | 1:12-cv-04205-WSD                    |
| 60    | GRAVES, GLEN                   | 1:12-cv-02449-WSD                    |
| 61    | GRAY, ROGER                    | 1:16-cv-04045-WSD                    |
| 62    | GREENFIELD, KEVIN L. & WANDA   | 1:14-cv-03624-WSD                    |
| 63    | GROFF, MARGARET AND PHILLIP    | 1:13-cv-03939-WSD                    |
| 64    | GROSS, HENRY                   | 1:14-cv-03159-WSD                    |
| 65    | HAMILTON, JAMES                | 1:12-cv-03078-WSD                    |
| 66    | HARBISON, WILDA J.             | 1:14-cv-01064-WSD                    |
| 67    | HARDY, RICHARD C & DOROTHY J   | 1:13-cv-01636-WSD                    |
| 68    | HARMON, FRANCES/CHARLES        | 1:14-cv-02336-WSD                    |
| 69    | HAVERLY, WILLIAM               | 1:16-cv-04773-WSD                    |
| 70    | HAWKINS, LARRY                 | 1:13-cv-00187-WSD                    |
| 71    | HENDRIX, JUDITH                | 1:16-cv-01420-WSD                    |
| 72    | HEROLD, KATHLEEN AND DAVID     | 1:14-cv-01054-WSD                    |
| 73    | HERZOG, ERIC                   | 1:16-cv-04193-WSD                    |
| 74    | HIRSCH, DARRELL                | 1:12-cv-03097-WSD                    |
| 75    | HOHENBERGER, THERESA           | 1:13-cv-00295-WSD                    |

| Count | Claimant Name   | Case Number                          |
|-------|---|--------------------------------------|
| 76    | HOLMES, JAMES   | 1:13-cv-00126-WSD                    |
| 77    | HOMER, TERRY  | 1:15-cv-02538-WSD                    |
| 78    | HOOKER, NAOMI   | 1:12-cv-03106-WSD                    |
| 79    | HORINE, PATRICIA DIANE & BOBBY GENE                                     | 1:14-cv-04079-WSD                    |
| 80    | HUTCHISON, CHARLES & CAROL  | 1:13-cv-01792-WSD                    |
| 81    | ISHMAEL, LISA/DAVID   | 1:12-cv-02727-WSD                    |
| 82    | JACOBS, HARRY   | 1:14-cv-02277-WSD                    |
| 83    | JOHNSON, EMMA JEAN & KEVIN  | 1:14-cv-03642-WSD                    |
| 84    | JOHNSON, JERRY L. SR. AND SHARON M.                                     | 1:15-cv-00852-WSD                    |
| 85    | JOHNSON, NANCY C  | 1:17-cv-01779-WSD                    |
| 86    | JONES, DONALD   | 1:15-cv-00418-WSD                    |
| 87    | JONES, EVELYN   | 1:14-cv-02343-WSD                    |
| 88    | KIMSEY, RONALD  | 1:13-cv-01943-WSD                    |
| 89    | KIRK, LISA M.   | 1:14-cv-04093-WSD                    |
| 90    | KIRKLEY, DAVID AND DIANNA   | 1:14-cv-00553-WSD                    |
| 91    | LALK, DONNA M   | 1:13-cv-02742-WSD                    |
| 92    | LARUE, JOSEPH ABEL JR.  | 1:14-cv-00379-WSD                    |
| 93    | LAVARES, DAVID  | 1:12-cv-04319-WSD                    |
| 94    | LAWMAN, SHERYL  | 1:14-cv-03689-WSD                    |
| 95    | LEE, MICHAEL  | 1:12-cv-02039-WSD                    |
| 96    | LONG, LANNY L. AND RUTH ANN   | 1:13-cv-02597-WSD                    |
| 97    | MANG, BARRY   | 1:13-cv-00184-WSD                    |
| 98    | MARCH, SANDRA   | 1:17-cv-01763-WSD                    |
| 99    | MARINO, PAUL  | 1:13-cv-03882-WSD; 1:12-cv-03141-WSD |
| 100   | MARSHALL, BILLY AND BEVERLY   | 1:15-cv-00568-WSD                    |
| 101   | MARTIN, OLGA  | 1:12-cv-01233-WSD                    |
| 102   | MCCLARITY, MARY   | 1:14-cv-01692-WSD                    |
| 103   | MCCLELLAND, VERA  | 1:13-cv-01143-WSD                    |
| 104   | MCCORMICK, BRIAN  | 1:14-cv-00228-WSD                    |
| 105   | MCCOVERY, JAMMIE  | 1:15-cv-00422-WSD                    |
| 106   | MCMAHON, SHARON (AS EXECUTOR OF THE ESTATE OF ROSEMARY MASER, DECEASED) | 1:15-cv-01219-WSD                    |
| 107   | MEAD, MARTIN  | 1:13-cv-00190-WSD                    |
| 108   | MEIER, RUSSELL  | 1:15-cv-01297-WSD                    |
| 109   | MELTZER, DALE SUSAN   | 1:17-cv-01458-WSD                    |
| 110   | METZGER, MARTIN   | 1:14-cv-04111-WSD                    |
| 111   | MEYER, MELVIN RAY AND CAROL SUE   | 1:14-cv-02148-WSD                    |

| Count | Claimant Name                    | Case Number       |
|-------|----------------------------------|-------------------|
| 112   | MEYERHOFER, NICHOLAS J           | 1:13-cv-00137-WSD |
| 113   | MICHALS, JOANNE L.               | 1:16-cv-04478-WSD |
| 114   | MILLER, JAMES AND JANE           | 1:17-cv-01894-WSD |
| 115   | MILLER, VICTOR AND LINDA         | 1:15-cv-04519-WSD |
| 116   | MILLS, NORMAN                    | 1:14-cv-00606-WSD |
| 117   | MONSON, MARILYN R. AND GARY LYNN | 1:15-cv-02076-WSD |
| 118   | MOORE, MARSHA                    | 1:17-cv-03637-WSD |
| 119   | MORALES, KATHY AND GLENDON       | 1:15-cv-00873-WSD |
| 120   | MORRISON, BEVERLY                | 1:14-cv-01227-WSD |
| 121   | MORROW, KRISTIN A. V. BIRNBAUM   | 1:14-cv-02437-WSD |
| 122   | MURIN, JENNIFER (E/O BARBARA)    | 1:13-cv-01392-WSD |
| 123   | NAIL, RITA                       | 1:12-cv-01542-WSD |
| 124   | NEAL, ANTHONY                    | 1:16-cv-02636-WSD |
| 125   | NEELLEY, MATTHEW AND VIVIAN      | 1:14-cv-02243-WSD |
| 126   | NELSON, SHAWNA                   | 1:15-cv-02690-WSD |
| 127   | NICHOLS, STEPHEN                 | 1:16-cv-01050-WSD |
| 128   | NYDEGGER, SETH                   | 1:17-cv-04114-WSD |
| 129   | OFFRELL, DAN                     | 1:12-cv-02763-WSD |
| 130   | OKSIENIK, EDWARD                 | 1:17-cv-00932-WSD |
| 131   | ORSINELLI, SHIRLEY               | 1:16-cv-04772-WSD |
| 132   | ORTEGA, JOSEPH C. AND RITA L.    | 1:15-cv-00547-WSD |
| 133   | OSEGUERA, MICHAEL                | 1:17-cv-01762-WSD |
| 134   | OTEY, JOHN                       | 1:13-cv-01942-WSD |
| 135   | PACHECO, EVELYN                  | 1:14-cv-03604-WSD |
| 136   | PAES, RICHARD                    | 1:13-cv-00191-WSD |
| 137   | PALMER, CHARLES & MARILYN        | 1:14-cv-01658-WSD |
| 138   | PALMER, MARK                     | 1:13-cv-00202-WSD |
| 139   | PALOW, DON                       | 1:12-cv-02176-WSD |
| 140   | PARRISH, LARRY                   | 1:14-cv-03021-WSD |
| 141   | PAUL, EILEEN AND JEFFREY         | 1:15-cv-03091-WSD |
| 142   | PAYNE, JOHN AND DEBRA            | 1:14-cv-01830-WSD |
| 143   | PEREZ, DARIUS AND JUAN           | 1:13-cv-03885-WSD |
| 144   | PERRY, JAN                       | 1:17-cv-00957-WSD |
| 145   | PFEIFFER, LAVERN                 | 1:16-cv-03204-WSD |
| 146   | PHILLIPS, HERMAN & WANDA         | 1:14-cv-03607-WSD |
| 147   | POWELL, MARCOLA                  | 1:14-cv-03152-WSD |
| 148   | PREOBRAZHENSKAYA, GALINA         | 1:16-cv-02346-WSD |
| 149   | PROFFITT, CRAIG A. & MARY J.     | 1:14-cv-00557-WSD |

| Count | Claimant Name                   | Case Number       |
|-------|---------------------------------|-------------------|
| 150   | PYPER, JEFFREY                  | 1:17-cv-03563-WSD |
| 151   | QUIROZ, RUBEN AND PATRICIA      | 1:13-cv-03194-WSD |
| 152   | RADACH, LINDA                   | 1:12-cv-03074-WSD |
| 153   | REGISTER, ELLIS AND SANDRA      | 1:16-cv-01576-WSD |
| 154   | REHBERGER, MARY                 | 1:15-cv-00423-WSD |
| 155   | REUFFER, SUSAN                  | 1:14-cv-00972-WSD |
| 156   | RICHARDSON, JOHNNIE L.          | 1:17-cv-00652-WSD |
| 157   | RISILIA, ANNA K.                | 1:14-cv-02560-WSD |
| 158   | RITTENHOUSE, PEGGY              | 1:14-cv-03989-WSD |
| 159   | ROSMARIN, IRWIN                 | 1:13-cv-03101-WSD |
| 160   | SAKJAS, HARRY                   | 1:12-cv-00628-WSD |
| 161   | SCALLEY, FORD                   | 1:17-cv-02151-WSD |
| 162   | SCHEEL, BILLIE CHLO             | 1:14-cv-03532-WSD |
| 163   | SCHMIDT, FRITZ KARL AND CECILIA | 1:14-cv-01826-WSD |
| 164   | SCHNEIDERMAN, DONALD            | 1:12-cv-02079-WSD |
| 165   | SCHOFIELD, GEOFFREY             | 1:17-cv-02492-WSD |
| 166   | SETTERDAHL, ROGER AND CAROL     | 1:13-cv-03586-WSD |
| 167   | SHEETS, ROBERT & CAROLYN        | 1:14-cv-03153-WSD |
| 168   | SHIVELY, CLARENCE               | 1:17-cv-01051-WSD |
| 169   | SHORES, KEVIN AND BRENDA        | 1:14-cv-00424-WSD |
| 170   | SHORT, CLIFTON                  | 1:14-cv-03048-WSD |
| 171   | SHORTLEY, THOMAS AND MARINA     | 1:15-cv-01065-WSD |
| 172   | SMITH, ANA                      | 1:14-cv-02027-WSD |
| 173   | SMITH, JOHN R.                  | 1:14-cv-03066-WSD |
| 174   | SMITH, JOHN T.                  | 1:17-cv-00037-WSD |
| 175   | SNIDER, WENDY LYNN & TIMOTHY A. | 1:14-cv-03720-WSD |
| 176   | SNITKOFF, ERIC                  | 1:12-cv-00612-WSD |
| 177   | SOBEK, FRANCES                  | 1:12-cv-03083-WSD |
| 178   | SODERMAN, GEORGE ARNOLD         | 1:14-cv-03707-WSD |
| 179   | SPALDING, RENEE L. & GREG M.    | 1:14-cv-03112-WSD |
| 180   | STAGNER, FRANCES AND JAMES      | 1:14-cv-00570-WSD |
| 181   | STAHL, DENISE                   | 1:15-cv-03589-WSD |
| 182   | STEVENSON, NANCY AND BRUCE      | 1:13-cv-03642-WSD |
| 183   | STROHM, SHANNON                 | 1:15-cv-00111-WSD |
| 184   | SYLVESTER, DAVID A. & DIANE     | 1:14-cv-02901-WSD |
| 185   | THAMES, DELORES                 | 1:13-cv-00777-WSD |
| 186   | TIMOTHY, JULIA                  | 1:13-cv-01680-WSD |
| 187   | TRUJILLO, SANDRA/BACILIO        | 1:14-cv-02446-WSD |

| Count | Claimant Name                  | Case Number       |
|-------|--------------------------------|-------------------|
| 188   | WAGNER, BEVERLY A              | 1:13-cv-01714-WSD |
| 189   | WARDEN, STEPHEN AND KELLY      | 1:14-cv-01135-WSD |
| 190   | WARREN, WINFRED & ANGELA       | 1:14-cv-03378-WSD |
| 191   | WATERS, DAYL                   | 1:14-cv-02357-WSD |
| 192   | WATKINS, CRAIG                 | 1:12-cv-02689-WSD |
| 193   | WHITBECK, ROBERT E. & PAM      | 1:14-cv-02370-WSD |
| 194   | WILLIAMS, ENID                 | 1:13-cv-00192-WSD |
| 195   | WILLIAMS, WILLIAM              | 1:17-cv-01438-WSD |
| 196   | WILLIAMSON, GEORGE ALBERT      | 1:14-cv-00583-WSD |
| 197   | WILLING, RICHARD & SUSAN       | 1:14-cv-00199-WSD |
| 198   | WILSON, BRENDA                 | 1:14-cv-01518-WSD |
| 199   | WILSON, PEGGY                  | 1:14-cv-03581-WSD |
| 200   | WOODLEY, BARBARA               | 1:14-cv-02570-WSD |
| 201   | WOODS, SHERI                   | 1:15-cv-01546-WSD |
| 202   | WOODWORTH, MICHAEL AND VALERIE | 1:15-cv-03771-WSD |
| 203   | WORKMAN, WILLIAM               | 1:12-cv-03084-WSD |
| 204   | ZWIRNMANN, NONA                | 1:13-cv-00193-WSD |